

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, :
 :
Plaintiff, :
 :
v. :
 :
MICHAEL BRASSINGTON, PAUL :
BRASSINGTON, AND BRIAN :
MCKENZIE, :
 :
Defendants. :

Hon. Dennis M. Cavanaugh

ORDER

Crim. No. 09-CR-45 (DMC)

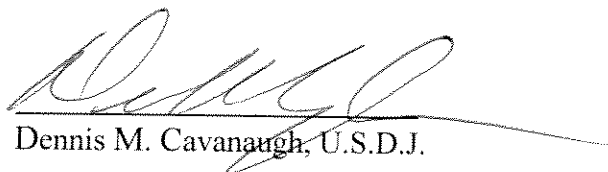
DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon motion for judgment of acquittal pursuant to Fed. R. Crim. P. 29 by Paul Brassington ("Defendant"). Having heard oral argument and after considering all submissions and based upon the following;

WHEREAS Count Twenty-One of the Superseding Indictment charges Defendant Paul Brassington with making a false statement in the February 7, 2005 Accident Report submitted to the National Transportation Safety Board; Defendant argued insufficient evidence was presented at trial to support the charge; and the Government consents to dismissing Count Twenty-One of the Superseding Indictment against Defendant Paul Brassington;

IT IS on this 9 day of November, 2010;

ORDERED Count Twenty-One of the Superseding Indictment against Defendant Paul Brassington is dismissed.


Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk's Office
cc: All Counsel of Record
File